

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that George G. &/or LoRene Russell
(Name of Claimant)

2400 E. Powerline, Nampa, ID 83651
(Mailing Address)

Telephone No. 467-1549

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1890

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Lava Creek tributary to Spring Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1.42 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity <u>.05 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.47 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SE ¼, Sec. 3 Twp. 2N Rge. 7E B.M., County of Elmore

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam in creek and gravity irrigation system.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	7E	3											33	34					67
		10		4															4

No. of acres 71

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 150 Ad/range

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks

A hand-drawn map on a grid. The grid has solid lines for the main grid and dashed lines for the sub-grid. The map shows a route from a starting point to a destination. The starting point is labeled 'T 2 N' and the destination is labeled 'R 7 E'. The route is marked with numbers 1 through 10. The route passes through points labeled '33A 34A', '4A', and 'P.D.W.'. The map is drawn on a grid with solid lines for the main grid and dashed lines for the sub-grid.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

George G. Russell
George G. (Claimant) Russell

Sworn to before me this 3rd day of March, 19 82

Notary Public Donald V. Shaff
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by 9KN Date 3/3/82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JE Date 3/11/82 claimant by: _____
30. \$20.00 fee received by JOP Date 3/3/82 # 21971
Published in New York Times _____
Dates 3/25 & 4/1/82 _____

**NOTICE OF CLAIM
TO WATER RIGHT**

Notice is hereby given that the following claim to water right has been established by diversion and application to beneficial use:

63-4870 ✓ 68

RUSSELL, GEORGE G. &/or
LORENE
2400 E. POWERLINE RD., NAM-
PA, ID 83651

Source: LAVA CREEK tributary to
SPRING CREEK

Priority Date: 07/01/1890

Amount: 1.47 CFS

Diversion Point: NESE Sec 03 T 02N
R 07E, ELMORE Co.

Use: IRRIGATION (1.42 CFS) from
04/15 to 10/15; STOCKWATER (0.05
CFS) from 01/01 to 12/31

Place of Use: SWSW SESW Sec 03 T
02N R 07E NWNE Sec 10 T 02N R 07E
FOR 71 ACRES

Diversion Means: DIVERSION
DAM & GRAVITY IRR. SYSTEM

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 92 S. Cole Road, Boise,
Idaho 83709.

A. KENNETH DUNN

Director

Published 03/25 & 04/01/82.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-
tion having been made on the 25... day
of March....., 1982, and
the last publication having been made on the
.....1..... day of April.....
19..82..; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this 1st.....
day of April....., 1982

Olson W. Swenson
Notary Public

RECEIVED

APR 2 1982

Department of Water Resources
Western Regional Office

WRR100
63-4870

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-4870

02 OLD (D) NUMBER -

03001 - RUSSELL LAST NAME
03002 - RUSSELL

04001 - GEORGE G. FIRST NAME
04002 - LORENE

05001 - C ORIG. OWNER
05002 - C

06 ADD LINE 1 - 2400 E. POWERLINE RD. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - NAMPA ✓

10 STATE - ID ✓

11 ZIP - 83651 ✓

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - LAVA CREEK SOURCE ✓

15001 - SPRING CREEK TRIBUTARY OF ✓

16 DIVERSION MEANS - DIVERSION DAM & GRAVITY IRR. SYSTEM

17 COUNTY - 39 ELMORE ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.470 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - NESE	23001 - 03	24001 - 02N	25001 - 07E	26001 - 27001 -	28001 - 0	272.0	312.0	96.0 12.0 2.0 1.0 0.0 0 0 0 1.6

29 NON-IRRIGATION USE - S/150 RANGE

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 02N ✓	32001 - 07E ✓	33001 - 10 ✓	34001 - NWNE ✓	35001 - 04 ✓	36001 -
30002 - 01 IRRIGATION ✓	31002 - 02N ✓	32002 - 07E ✓	33002 - 03 ✓	34002 - SWSW ✓	35002 - 33 ✓	36002 -
30003 - 01 IRRIGATION ✓	31003 - 02N ✓	32003 - 07E ✓	33003 - 03 ✓	34003 - SESW ✓	35003 - 34 ✓	36003 -
TOTAL ACRES: 71 ✓						

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415 ✓	38001 - 1015 ✓	39001 - 01 IRRIGATION ✓	40001 -	1.420 ✓	41001 - 0.00
37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 -	0.050 ✓	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - 1-JUL-1890
48 PROOF DUE -
49 PROOF MADE -
50 APPROVE/DENIED-

55 LICENSE -
56 APPL RECEIVED -
57 FIELD EXAM MADE -
58 DECREE -

63 TRANSFER/AMENDED -
64 DLE/CAREY ACT -
65 FLAG_1 -
66 FLAG_2 -

WRR100
63-4870

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----

51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 23-MAR-1982

59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

67 FLAG_3 -

12/23/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

63-4270

Applicant

Russell

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By DBS

Date

4/13/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

4/16/82

P.D.

NESE-03-02N-07E

STREAM CODE

272.0-312.0-096.0-012.0-002.0-01.0

REACH

001.6 miles

RECEIVED
APR 14 1982

IDENT. NO. 63-4870

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

APRIL 14, 1982

GEORGE G. RUSSELL
LORENE RUSSELL
2400 E. POWERLINE RD.
NANPA ID 83651

RE: Claim No. 63-4870

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RUSSELL, GEORGE G. &/or LORENE

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